

Santa Fe Weekly Gazette.

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SANTA FE WEEKLY GAZETTE.

TERMS.

WEEKLY—\$2 50 a year, payable invariably in advance; single copies 12 1-2 cents. Advertisements, \$1 00 per square of ten lines for the first insertion, and 5 cts. for every subsequent insertion.

KEARNEY AND BERNARD.

General outfitting establishment Westport Missouri. We keep constantly on hand a variety of merchandise of all descriptions adapted to the California and Santa Fe trade. Persons going across the plains would do well to give them a call. Will also have on hand Wagons, Oxen and other necessities suitable for emigrants—All order from reliable sources promptly attended to.

KEARNEY & BERNARD.

Santa Fe New Mexico Oct. 7 1854.—5 f.

Joel Walker.

W. H. Chick

WALKER AND CHICK.

Commission Merchants, Kansas Mo.

REFER TO

Col. Robert Campbell, Messrs. Riley & Christy
Saint Louis Mo. Saint Louis Mo.
Santa Fe New Mexico October 7, 1854.—t. f.

STAGE LINE.

FROM INDEPENDENCE TO SANTA FE.

Leaving each end of the route the first day of each month.

Fare through,

From November 1st to May 1st \$150

From May 1st to November 1st \$125

Packages and extra baggage 35 cents per lb. summer, and 50 cents in winter, but no package charged less than one dollar. All baggage at the risk of the owner, and no responsibility for any package worth over fifty dollars unless contents given and specially conducted for.

Provisions, arms, and ammunition furnished by the proprietors. All passage money must be paid in advance.

HOCKADAY & HALL.

November 3, 1855.

Albuquerque Exchange.

LOUIS F. BARTELS, PROPRIETOR.

This above named establishment is now open for the accommodation of travelers and others, in Albuquerque New Mexico. The table will be supplied with the best the market affords, and the bar with the choicest liquors. The house contains comfortable rooms for the accommodation of strangers, and attached, are good tables for animals.

Albuquerque N. M.

January 28th 1855.—6 m.

NOTICE TO THE INHABITANTS OF NEW MEXICO.

The Surveyor General of New Mexico, by act of Congress approved on the 22nd July 1854, is required to "make a full report on all such claims as may be presented before the session of the Territory to the United States by the treaty of Guadalupe Hidalgo of 1848, denoting the various grades of title, and the decision thereon as to the validity or invalidity of each of the same under the 'surveyed' customs of the country before its cession to the United States."—And he is also required to report in regard to all Pueblos existing in the Territory, showing the extent and locality of the number of inhabitants in the said Pueblos, and the nature of their titles and claims. Such report to be made according to which may be prescribed by the Secretary of the Interior; which report shall be laid before Congress for such action thereon as may be deemed proper and with a view to confirm bona fide claims and give full effect to the Treaty of 1848, between the United States and Mexico.

Claimants in every case will be required to file a written petition, setting forth the name of the "present claimant," name of "original claimant," nature of claim, whether inchoate or perfect—its date—from what authority the original title was derived—with a reference to the evidence of the power and authority under which the granting officer may have acted—quantity claimed, locality, style and extent of conflicting claims, if any, with reference to the documentary evidence and testimony relied upon to establish the claim, and to show transfer of right from the "original grantee" to the present claimant.

Every claimant will also be required to furnish an authentic plat of survey, if a survey has been executed, or other evidence, showing the precise bounds and extent of the tract claimed.

To enable the Surveyor General to execute the duty thus imposed on him, by law, he has to request all those individuals who claimed lands in New Mexico before the treaty of 1848, to produce the evidences of such claims at this office at Santa Fe, as soon as possible.

TO DONATION CLAIMANTS.

The act of Congress, above referred to, grants 30 acres of land to every white male citizen of the United States, or every white male above the age of 21 years, who has declared his intention to become a citizen, now residing in New Mexico, and who was so residing prior to 1st January 1853; and to every white male citizen of the United States, and to every white male above the age of 21 years, who has declared his intention to become a citizen, who was residing in the Territory on and after January 1853 or who shall remove to and settle there at any time prior to the 1st January 1858. The same law also grants 160 acres of public land. No claim to any such donation is valid unless the land has or shall be settled on, and cultivated, for ten successive years; and no such donation claim allowed to interfere in any manner with any claim recognized by the Treaty of Guadalupe Hidalgo.

All individuals claiming the benefit of such donation will find it to their interest to give the earliest possible information to the Surveyor General to the localities of their settlements, in order to enable him to direct his surveying operations accordingly. The localities in each county shall be ascertained as distinctly as possible in reference to all notable objects in the vicinity.

Given under my hand at my office at Santa Fe this 18 day of Jan. A. D. 1855.

WILLIAM PELHAM.

Surveyor General of New Mexico.

Santa Fe, Jan. 27, 1855.—1y.-34.

JOHN S. WATTS,

ATTORNEY AND COUNSELLOR AT LAW,

Santa Fe, New Mexico.

Office in the house formerly occupied by Messrs Smith & Houghton.
Santa Fe, March 25, 1854.—v3.n41.f.

PUBLISHED BY AUTHORITY.

LAW OF THE UNITED STATES,

1853-54.

Continued.

TREATIES.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

dosed or collected in the ports of either country on said vessels or their cargoes, whether the same shall be of native or foreign produce or manufacture.

Article 7. It is likewise agreed, that it shall be wholly free for all merchants, commanders of ships, and other citizens of both countries, to manage, by themselves or agents, their own business in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading and sending off their ships; they being in all these cases to be treated as citizens of the country in which they reside, or at least to be placed on an equality with the subjects or citizens of the most favored nations.

Article 8. The citizens of neither of the contracting parties shall be liable to any embargo, nor be detained with their vessels, cargoes, merchandise, or effects, for any military expedition, nor for any public or private purpose whatever, without allowing to those interested an equitable and sufficient indemnification.

Article 9. Whenever the citizens of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, bays, ports, or dominions of the other with their vessels, whether merchant or war, public or private, through stress of weather, pursuit of pirates, or enemies, or want of provisions or water, they shall be received and treated, with humanity, giving to them all favor and protection for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage, without obstacle or hindrance, of any kind.

Article 10. All the ships, merchandise, and effects belonging to the citizens of one of the contracting parties which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, and dominions of the other, shall be delivered up to the owners, they proving in due and proper form their rights, before the competent tribunals; it being well understood that the claim shall be made within the term of one year by the parties themselves, their attorneys, or agents of their respective governments.

Article 11. When any vessels belonging to the citizens of either of the contracting parties shall be wrecked or foundered, or shall suffer any damage on the coasts or within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation where the damage happens; permitting them to unload the said vessel, if necessary, of its merchandise and effects without exacting for it any duty, impost, or contribution whatever, unless they may be destined for consumption or sale in the country of the port where they may have been disembarked.

Article 12. The citizens of each of the contracting parties shall have power to dispose of their personal goods or real estate within the jurisdiction of the other, by sale, donation, testament, or otherwise; and their representatives, being citizens of the other party, shall succeed to their said personal goods or real estate, whether by testament or ab intestato, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein said goods are shall be subject to pay in like cases.

Article 13. Both contracting parties promise and engage formally to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice for their judicial recourse, on the same terms which are usual and customary with the natives or citizens of the country; for which purpose they may either appear in proper persons, or employ in the prosecution or defence of their rights such advocates, solicitors, notaries, agents and factors as they may judge proper, in all their trials at law; and

such citizens or agents shall have free opportunity to be present at the decisions or sentences of the tribunals in all cases which may concern them, and shall enjoy in such cases all the rights and privileges accorded to the native citizen.

Article 14. The citizens of the United States residing in the territories of the Republic of San Salvador shall enjoy the most perfect and entire security of conscience, without being annoyed, prevented, or disturbed on the proper exercise of their religion, in private houses or in the chapels or places of worship appointed for that purpose, provided that in so doing they observe the decorum due to divine worship, and the respect due to the laws, usages, and customs of the country. Liberty shall also be granted to bury the citizens of the United States who may die in the territories of the Republic of San Salvador in convenient and adequate places to be appointed and established for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased; nor shall the funerals or sepulchres of the dead be disturbed in anywise, nor upon any account.

In like manner, the citizens of San Salvador shall enjoy within the government and territories of the United States a perfect and unrestrained liberty of conscience, and of exercising their religion, publicly or privately, within their own dwelling houses, or in the chapels and places of worship appointed for that purpose, agreeably to the laws, usages, and customs of the United States.

Article 15. It shall be lawful for the citizens of the United States of America and of the Republic of San Salvador to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandise laden thereon, from any port to the places of those who now are or shall be at enmity with either of the contracting parties. It shall likewise be lawful for the citizens aforesaid to sail with the ships and merchandise before mentioned, and to trade with the same liberty and security, from the places, ports, and havens of those who are the enemies of both or either party, without any opposition or disturbance whatsoever, not only from the places of the enemy before mentioned to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy; whether they be under the jurisdiction of one power or under several. And it is hereby stipulated that free ships shall also give freedom to goods, and that every thing which shall be found on board the ships belonging to the citizens of either of the contracting parties shall be deemed to be free and exempt although the whole lading, or any part thereof, should appertain to the enemies of either, (contraband goods being always excepted.)

Article 16. It is likewise agreed, that in the case where the neutral flag of one of the contracting parties shall protect the property of one of the enemies of the other by virtue of the above stipulation, it shall always be understood that the neutral property found on board such enemy's vessel shall be held and considered as enemy's property, and as such shall be liable to detention and confiscation, except such property as was put on board such vessel before the declaration of war, or even afterwards, if it were done without the knowledge of it; but the contracting parties agree that, two months having elapsed after the declaration of war, their citizens shall not plead ignorance thereof. On the contrary, if the flag of the neutral does not protect the enemy's property, in that case the goods and merchandise of the neutral embarked on such enemy's ships shall be free.

Article 17. This liberty of navigation and commerce shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband; and under this name of contraband or prohibited goods shall be comprehended—

1st. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, rifles, carbines, pistols, pikes, sabres, lances, spears, halberds, handgrenades, bombs, powder, matches; balls, and all other things belonging to the use of these arms.

2d. Bucklers, helmets, breastplates, coats of mail, infantry belts, and clothes made up in the form and for the military use.

3d. Cavalry belts and horses, with their furniture.

4th. And generally all kinds of arms and instruments of iron, steel, brass, and copper, or of any other material manufactured, prepared, and formed expressly to make war by sea or land.

5th. Provisions that are imported into a besieged or blockaded place.

Article 18. All other merchandise and things not comprehended in the articles of contraband explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that

they may be carried and transported in the free manner to the citizens of both the contracting parties, even to places belonging to an enemy, excepting those places only which are at the time besieged or blockaded; and, to avoid all doubt in this particular, it is declared that those places only are besieged or blockaded which are actually attacked by a belligerent force, and of preventing the entry of the neutral.

Article 19. The articles of contraband before mentioned and classified, which may be found in a small band for an enemy's port shall be retained for detention and confiscation, leaving to the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the two nations shall be detained on the high seas on account of having on board articles of contraband, whenever the master, captain or supercargo of said vessel will deliver up the articles of contraband to the captor, unless the quantity of said articles be so great and of so large a bulk, that they cannot be received on board the capturing ship without great inconvenience; but in all other cases of just detention the vessel detained shall be sent to the nearest convenient and safe port for trial and judgment, according to law.

Article 20. And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing the same is besieged or blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained; nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment from the commanding officer of the blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting that place with her cargo; nor, if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

Article 21. In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they have agreed mutually that whenever a national vessel of war, public or private, shall meet with a neutral of the other contracting party, the first shall remain out of cannon-shot, unless in stress of weather, and may send its boat, with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill treatment, for which the commanders of said armed ships shall be responsible, with their persons and property; for which purpose the commanders of private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damage they may commit. And it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting her papers, or for any other purpose whatever.

Article 22. To avoid all kinds of vexation and abuse in the examination of the papers relating to the ownership of the vessels belonging to the citizens of the two contracting parties, they have agreed, and do hereby agree, that in case one of them should be engaged in war, the ships and vessels belonging to the citizens of the other must be furnished with sea-letters or passports expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master and commander of the said vessel, in order that it may thereby appear that the ship really and truly belongs to the citizens of one [of] the parties. They have likewise agreed that when such ships have a cargo, they shall also be provided, besides the said sea-letters or passports, with certificates containing the several particulars of the cargo and the place whence the ship sailed, so that it may be known whether any forbidden or contraband goods are on board the same, which certificates shall be made out by the officers of the place whence the ship sailed, in the accustomed form; without which requisites said vessel may be detained to be adjudged by the competent tribunal, and may be declared lawful prize, unless the said defect shall be proved to be owing to accident, and shall be satisfied or supplied by testimony entirely equivalent.

Article 23. It is further agreed that the stipulations above expressed, relative to the visiting and examination of vessels shall apply only to those which sail without convoy; and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection belong to the nation whose flag he carries, and, when they may be bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

Article 24. It is further agreed that in all cases the established courts for prize causes in the country to which the prizes may be conducted shall alone take cognizance of them. And whenever such tribunals or either party shall pronounce judgment against any vessel, or goods, or property, claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives upon which the same shall have been founded; and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel, without any delay, he paying the legal fees for the same.

Article 25. For the purpose of lessening the evils of war, the two high contracting parties further agree that in case a war should unfortunately take place between them, hostilities shall only be carried on by persons duly commissioned by the government, and by those under their orders, except in repelling an attack or invasion, and in the defence of property.

Article 26. Whenever one of the contracting parties shall be engaged in war with another state, no citizen of the other contracting party shall accept a commission or letter of marque for the purpose of assisting or cooperating hostilely with the said enemy against the said parties so at war, under the pain of being treated as a pirate.

Article 27. If by any fatality, which cannot be expected, and God forbid, the two contracting parties should be engaged in a war with each other, they have agreed, and do agree, now for then, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other, and the term of one year to those who dwell in the interior, to arrange their business and transport their effects wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens of all other occupations who may be established in the Territories or dominions of the United States or of San Salvador, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which, in consideration of humanity, the contracting parties engage to give them.

Article 28. Neither the debts due from individuals of the one nation to the individuals of the other, nor shares nor money which they may have in the public funds, nor in public or private banks, shall ever, in any event of war, or of national difference, be sequestered or confiscated.

Article 29. Both the contracting parties being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed, and do agree, to grant to the consuls, ministers, and other public agents, the same favors, immunities, and exemptions which those of the most favored nations do or shall enjoy; it being understood that whatever favors, immunities, or privileges the United States of America or the Republic of San Salvador may find it proper to give to the ministers and public agents of any other power, shall, by the same act, be extended to those of each of the contracting parties.

Article 30. To make more effectual the protection which the United States and the Republic of San Salvador shall afford in future to the navigation and commerce of the citizens of each other, they agree to receive and to admit consuls and vice-consuls in all the ports open to foreign commerce, who shall enjoy in them all the rights, prerogatives, and immunities of the consuls and vice-consuls of the most favored nation; each contracting party, however, remaining at liberty to except those ports and places in which the admission and residence of such consuls may not seem convenient.

Article 31. In order that the consuls and vice-consuls of the two contracting parties may enjoy the rights, prerogatives, and immunities which belong to them by their public character, they shall, before entering on the exercise of their functions, exhibit their commission or patent in due form to the government to which they are accredited; and, having obtained their exequatur, they shall be held and considered as such by all the authorities, magistrates, and inhabitants in the Consular District in which they reside.

Article 32. It is likewise agreed that the consuls, their secretaries, officers, and persons attached to the service of consuls, they not being citizens of the country in which the consul resides, shall be exempt from all public service, and also from all kind of taxes, imposts, and contributions, except those which they shall be obliged to pay on account of commerce or their property, to which the citizens and inhabitants, native and foreign, of the country in which they reside are subject, being in every thing besides subject to the laws of the respective States. The archives and papers of the consulates shall be respected inviolably, and under no pretext whatever shall any magistrate seize or in any way interfere with them.